

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:19-CV-142-BR

AMERICAN GENERAL LIFE )  
INSURANCE COMPANY, )  
 )  
Plaintiff, )  
v. )  
 )  
KATHRYN MIDYETTE RUIZ, DONALD )  
E. PONTIFF, RONALD A. PONTIFF, )  
PHILLIP MARK PARROTT, BARRY S. )  
MILLS, JOSEPH L. VARGA, JOHN R. )  
HULTIN and DOES 1-10, )  
 )  
Defendants. )

ORDER

This matter is before the court on plaintiff's motion to deposit funds in this interpleader action, to dismiss with prejudice, and for attorneys' fees and expenses. (DE # 27.) The motion is ALLOWED IN PART and DENIED IN PART. In the exercise of its discretion, the court declines to award plaintiff attorneys' fees and expenses. See Trustees of Plumbers and Pipefitters Nat'l Pension Fund v. Sprague, 251 F. App'x 155, 156 (4th Cir. 2007) (per curiam). Plaintiff is DIRECTED to deposit into the registry of this court the sum of \$250,000.00, with any interest accrued, within ten days from the date of this order. Upon receipt of said funds, the Clerk is DIRECTED to deposit the funds in accordance with 28 U.S.C. § 2041. The court will then dismiss plaintiff from this action and enjoin any defendants from further asserting claims against it.

This 24 April 2020.



W. Earl Britt  
Senior U.S. District Judge